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6 Attorneys for Plaintiff
California Estate Osetra, Inc.
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8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 CALIFORNIA ESTATE OSETRA, INC., a
12 California corporation, suing both individually and
derivatively on behalf of Tsar Nicoulai Caviar, LLC,
13

14 Plaintiff,

15 vs.

16 RH CAPITAL LLC, an Oklahoma Limited Liability
Company and ROBERT MAY,
17

18 Defendants.
19

Case No. C 06 5519 JSW

C 06 - 05519 JSW

**PROPOSED STIPULATION AND
ORDER RE: LIMITED CONSENSUAL
STAY OF PROCEEDINGS**

Judge: Hon. Jeffrey S. White

20 WHEREAS, Plaintiff brought this action in U.S. District Court for the Northern District of
21 California for monetary and injunctive relief against defendants, seeking in part to be provided the
22 opportunity to bid on the sale of the company in which Plaintiff and Defendants hold an interest – Tsar
23 Nicoulai Caviar LLC;
24

25 WHEREAS, Defendants RH Capital LLC, Tsar Nicoulai Caviar LLC and Kanbar Spirits, Inc.
26 have also brought an action against Plaintiff herein and shareholders of Plaintiffs, Mats and Daphne
27 Engstrom, in connection with the operation of Tsar Nicoulai Caviar LLC, in the State of Oklahoma
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District Court for Oklahoma County; and

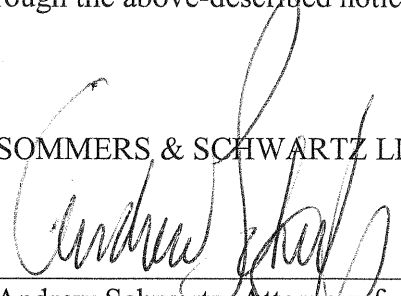
WHEREAS, the parties to these law suits are engaged in efforts to settle their disputes by, inter alia, seeking to stay both law suits at this time to allow negotiations to proceeding unimpaired by litigation activity.

WHEREFORE, the parties, through their counsel, stipulate and agree that:

1. This law suit be stayed until 15 days following notice from either Plaintiffs or Defendants – through their counsel – that it should again proceed;
2. That Defendants’ outstanding motion to dismiss shall be taken off calendar, provided that it may be renoticed by Defendants’ counsel through notice to Plaintiff’s counsel for a hearing date following the 15 day notice period set forth in paragraph 1 herein;
3. That Plaintiffs and Defendants be required to meet and confer and provide the Court with a Joint Status Report within 120 days from the date that this Stipulation is signed as an Order by this Court.
4. That in the interim, all normally required activity under Rule 26 shall be stayed until and unless the present stay is lifted through the above-described notice of counsel or by Order of this Court.

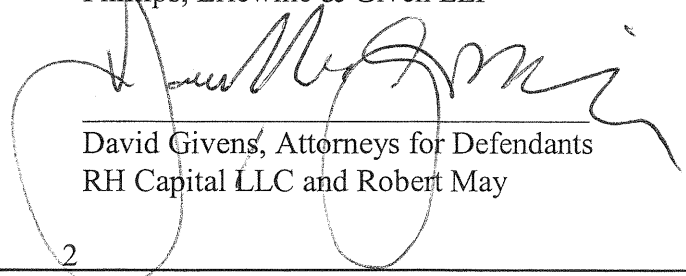
DATED: October 4, 2006

SOMMERS & SCHWARTZ LLP


Andrew Schwartz, Attorneys for
Plaintiff California Estate Osetra, Inc.

DATED: October 4, 2005

Phillips, Erlewine & Given LLP


David Givens, Attorneys for Defendants
RH Capital LLC and Robert May

Honorable Jeffrey White


United States District Court Judge